

**40-10-25.2 Liability limitation for abandoned mine reclamation.**

- (1) The state is not liable for any costs or damages resulting from action taken or not taken to carry out an abandoned mine reclamation plan.
- (2)
  - (a) Subsection (1) does not preclude liability for costs or damages resulting from gross negligence or intentional misconduct by the state.
  - (b) For purposes of this section, reckless, willful, or wanton misconduct constitutes gross negligence.

Enacted by Chapter 225, 1991 General Session